

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES,

Plaintiff,

v.

Case No. 18-CR-13

MARLON JAMIR SIMON, et al.

Defendants.

ORDER DENYING TRAVEL REQUEST

The defendant is in custody pursuant to an order of detention that arose out of his arraignment and plea hearing on May 19, 2021. On May 24, the defendant filed a motion seeking permission to travel to Los Angeles in order to attend the funeral of a close friend who was murdered recently. His motion states that his family will cover any expenses incurred by United States Marshals who would presumably accompany him on the trip. The motion is opposed by the Pretrial Services office.

The defendant's motion will be denied. Courts generally are not unsympathetic to travel requests, but in almost all instances the defendant making the request has been released and is merely asking to travel outside the state, rather than outside confinement. Moreover, the COVID-19 pandemic means that the defendant would have to re-quarantine upon return, causing logistical problems and potentially exposing others to the coronavirus. In addition, release of any kind, for any reason, could pose a danger to the community or create a risk of flight, a fact the defendant does not address. The defendant has not cited any authority suggesting that temporary release for funeral purposes is warranted. In fact, courts have

recently denied similar motions even for funerals of close family members. *United States v. Navarro*, No. 219CR00056JCMDJA, 2020 WL 5877816, at *2 (D. Nev. Oct. 2, 2020) (denying temporary release for father's funeral); *United States v. Williams*, No. 2:20-CR-81, 2020 WL 4431565, at *3 (W.D. Pa. July 31, 2020) (denying temporary release for brother's funeral). Finally, during the pandemic, millions of people around the world have avoided attending or holding funerals, or they have attended them remotely by video. The need to attend a specific funeral in person, at this moment, does not therefore appear acute under the circumstances.

The motion to travel is **DENIED**.

SO ORDERED this 26th of May, 2021.



STEPHEN C. DRIES
United States Magistrate Judge